

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

MARC SPITZER  
Chairman

JIM IRVIN  
Commissioner

WILLIAM A. MUNDELL  
Commissioner

JEFF HATCH-MILLER  
Commissioner

MIKE GLEASON  
Commissioner

Arizona Corporation Commission

DOCKETED

OCT 08 2003

2003 OCT -8 P 4: 38

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY

CAK

UTILITIES DIVISION STAFF,

Complainant,

vs.

Docket No. T-03889A-02-0796  
T-04125A-02-0796

LIVEWIRENET OF ARIZONA, LLC n/k/a THE PHONE  
COMPANY MANAGEMENT GROUP, LLC; THE PHONE  
COMPANY OF ARIZONA JOINT VENTURE, d/b/a/ THE  
PHONE COMPANY OF ARIZONA; ON SYSTEMS  
TECHNOLOGY, LLC, and its principals, TIM  
WETHERALD, FRANK TRICAMO, DAVID STAFFORD,  
MARC DAVID SHINER and LEON SWICKOW; THE  
PHONE COMPANY OF ARIZONA, LLP and its members

Respondents.

IN THE MATTER OF THE PHONE COMPANY OF  
ARIZONA JOINT VENTURE d/b/a/ THE PHONE  
COMPANY OF ARIZONA'S APPLICATION FOR  
CERTIFICATE OF CONVENIENCE AND NECESSITY TO  
PROVIDE INTRASTATE TELECOMMUNICATIONS  
SERVICE AS A LOCAL AND LONG DISTANCE  
RESELLER AND ALTERNATIVE OPERATOR SERVICE.

Docket No. T-04125A-02-0577

IN THE MATTER OF THE APPLICATION OF THE  
PHONE COMPANY MANAGEMENT GROUP, LLC f/k/a  
LIVEWIRENET OF ARIZONA, LLC TO DISCONTINUE  
LOCAL EXCHANGE SERVICE.

Docket No. T-03889A-02-0578

IN THE MATTER OF THE APPLICATION OF THE  
PHONE COMPANY MANAGEMENT GROUP, LLC FOR  
CANCELLATION OF FACILITIES BASED AND RSOLD  
LOCAL EXCHANGE SERVICES.

Docket No. T-03889A-03-0152

IN THE MATTER OF THE APPLICATION OF THE  
PHONE COMPANY MANAGEMENT GROUP, LLC d/b/a/  
THE PHONE COMPANY FOR THE CANCELLATION  
OF ITS CERTIFICATE OF CONVENIENCE AND  
NECESSITY.

Docket No. T-03889A-03-0202

STAFF'S NOTICE OF FILING  
ERRATA

Arizona Corporation Commission Staff ("Staff") hereby files corrected page 5 of the

1 Supplemental Testimony of Adam Lebrecht dated October 8, 2003, in the above-referenced matter.

2  
3 RESPECTFULLY SUBMITTED this 8th day of October, 2003.

4 ARIZONA CORPORATION COMMISSION

5  
6 By: 

7 Maureen A. Scott  
8 Gary H. Horton  
9 Attorney, Legal Division  
10 1200 West Washington Street  
11 Phoenix, Arizona 85007  
12 (602) 542-6026

13 Original and 21 copies of the foregoing filed  
14 this 8th day of October, 2003, with:

15 Docket Control  
16 Arizona Corporation Commission  
17 1200 West Washington  
18 Phoenix, Arizona 85007

19 Copy of the foregoing hand-delivered/mailed  
20 this 8<sup>th</sup> day of October, 2003, to:

21 Lyn Farmer  
22 Chief Administrative Law Judge  
23 Hearing Division  
24 Arizona Corporation Commission  
25 1200 West Washington  
26 Phoenix, Arizona 85007

27 Ernest Johnson  
28 Director, Utilities Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Chairman Marc Spitzer  
Commissioner Jim Irvin  
Commissioner William A. Mundell  
Commissioner Jeff Hatch-Miller  
Commissioner Mike Gleason

Michael L. Glaser  
Michael D. Murphy  
1050 17<sup>th</sup> Street, Suite 2300  
Denver, CO 80202

Steven Petersen  
2989 Brookdale Drive  
Brooklyn Park, MN 55444  
The Phone Company of Arizona, LLP

1 Tim Wetherald  
3025 S. Park Road, Suite 1000  
2 Aurora, CO 80014  
3 David Stafford Johnson, Manager  
4577 Pecos Street  
4 P. O. Box 11146  
Denver, CO 80211-0146  
5 The Phone Company Management Group,  
6 LLC n/k/a LiveWireNet of Arizona, LLC  
7 Roald Haugan  
8 Managing Partners Chairman  
32321 County Highway 25  
9 Redwood Falls, MN 56283  
The Phone Company of Arizona, LLP  
10 Travis & Sara Credle  
3709 West Hedrick Drive  
11 Morehead City, NC 28557  
The Phone Company of Arizona, LLP  
12 Jeffrey Crockett  
13 Snell & Wilmer  
One Arizona Center  
14 400 East Van Buren  
Phoenix, AZ 85004  
15 Frank Tricamo  
16 14231 E. 4<sup>th</sup> Avenue, Suite 360  
Aurora, CO 80011  
17  
18  
19  
20

21 Nancy Roe  
22  
23  
24  
25  
26  
27  
28

Timothy Berg  
Theresa Dwyer  
Fennemore Craig  
3003 N. Central, Suite 2600  
Phoenix, AZ 85003-2913

Marty Harper  
Kelly J. Flood  
Shughart Thomson & Kilroy, P.C.  
One Columbus Plaza  
3636 N. Central, Suite 1200  
Phoenix, AZ 85012  
Attorneys for LiveWireNet of Arizona, et al

Mark Brown  
Qwest Corporation  
4041 N. Central, 11<sup>th</sup> Floor  
Phoenix, AZ 85012

Thomas H. Campbell, Esq.  
Lewis and Roca  
40 North Central  
Phoenix, AZ 85004  
Attorneys for DJM

Leon Swichkow  
2901 Clint Moore Road #155  
Boca Raton, FL 33496

Marc David Shiner  
4043 NW 58<sup>th</sup> Street  
Boca Raton, FL 33496

Marc David Shiner  
5030 Champion Blvd., Suite 6-198  
Boca Raton, FL 33496

1 permanently enjoined from doing business related to the provision of telecommunications  
2 services in Arizona.

3  
4 **Q. Does Staff believe Mr. Wetherald and the principles at On Systems Technology have**  
5 **conducted the affairs of PCMG and the Phone Company of Arizona as their “alter**  
6 **ego?”**

7 A. Yes, Mr. Wetherald and the principles of OnSystems Technologies have used their  
8 business structure to escape personal liability for their fraudulent and illegal acts.

9  
10 **Q. Does this conclude your testimony?**

11 A. Yes, it does.